



MUNICIPAL COUNCIL AGENDA
TEMPORARY CITY HALL
141 OAK STREET, TAUNTON, MA 02780

~
MAY 10, 2016 – 7:00 PM

RECEIVED
CITY CLERK'S OFFICE

2016 MAY -6 11:15

TAUNTON, MA

CITY CLERK

INVOCATION
ROLL CALL
RECORDS

HEARING: Upon the petition of the City of Taunton for: Proposed Zoning Changes to the City of Taunton Zoning Ordinance dated February 16, 2016-

Section 5.2 – Use Regulations Biotech use Category-amend this category from a prohibited use in Business District to a Permitted Use.

- Com. from Chairman, Taunton Planning Board – Submitting a positive recommendation
- Copy of the Proposed Changes to the Zoning Ordinance dated February 16, 2016

HEARING: Upon the petition of Richard Henderson, President, Taunton Development/MassDevelopment Corporation, 99 High Street, Boston for the proposed changes to the Zoning Ordinance to change the following properties from Industrial to Business District:

Property I.D. 24-2-0 consisting of property located off Bay Street and Dever Drive and consists of the following properties: Lots A, B1, B2-A, B3R and B4-A. The portions of lots B2-A and B3R that are shown as zoned Opened Space Conservation are not part of the requested zoning map change.

- Com. from Chairman, Taunton Planning Board – Submitting a positive recommendation
- Map of the Proposed Zoning Map Amendment

COMMUNICATIONS FROM THE MAYOR

APPOINTMENTS

COMMUNICATIONS FROM CITY OFFICERS

- Pg. 1 Com. from Executive Director, Taunton Retirement Board – Submitting the Annual Statement for the Financial Condition of the City of Taunton Contributory Retirement System for Year End 2015
(SEE SEPARATE PACKET)
- Pg. 2 Com. from Commissioner, Parks, Cemeteries and Public Grounds – Summer positions
- Pg. 3 Com. from Commissioner, Parks, Cemeteries and Public Grounds – Summer positions
- Pg. 4 Com. from City Planner – ADA Transition Update and Safety and Monies Spent
- Pg. 5 Com. from Chairman, Taunton Planning Board – Notifying of a public meeting
- Pg. 6 Com. from Chairman, Taunton Planning Board – Notifying of a public meeting
- Pg. 7-8 Com. from City Clerk – Requesting an appropriation
- Pg. 9-10 Com. from City Solicitor – Varsity Wireless, LLC v. City of Taunton, Taunton Municipal Council, et al. and Bell Atlantic Mobile of Massachusetts, ltd. dba Verizon Wireless c. City of Taunton, Taunton Municipal Council, et al.
- Pg. 11 Com. from City Solicitor – Requesting to meet in Executive Session on 60 Cross Street, LLC et al. v. City of Taunton

COMMUNICATIONS FROM CITIZENS

PETITIONS

Old Gold License

Petition submitted by Ali Abouzeid, 73 Cavalier Ave., Taunton requesting a **RENEWAL** of his Old Gold License for Hannoush Jewelers, Inc. located at 2 Galleria Mall Drive, Taunton.

News Rack License

Petition submitted by Christopher Wood, 10 Veteran's Way, No. Attleboro requesting a **NEW News Rack License** for L&C Publishing, Inc. **(4 Locations)**

Antique Dealer's License

Petition submitted by Timothy Cummings, 4 Oxford St., Taunton requesting a **RENEWAL** of his Antique Dealer's License –dba- Eantiquebroker Consulting Service located at 4 Oxford St., Taunton.

Petition submitted by Armen Tenkarian, 2 Arcade Ave., Seekonk and Michael Keene, 28 Bayview Ave., Berkley requesting a **RENEWAL** of their Antique Dealers License for Taunton Antiques Center, Inc. located at 19 Main Street, Taunton.

Second Hand Article License

Petition submitted by Laura Moss requesting a **RENEWAL** of the Second Hand Article License for ecoATM, Inc. to buy used electronics for two (2) kiosk machines located at 2 Galleria Mall Drive, East Taunton.

Petition submitted by John Anderson, 38 Corporate Circle, Albany, NY requesting a **RENEWAL** of the Second Hand Article License for Record Town, Inc. –dba- FYE #1594 located at 2 Galleria Mall Drive, Suite 104, East Taunton to purchase used electronics from customers.

Junk Collectors License

Petition submitted by Edwin DeBrum, 57 Stevens St., East Taunton requesting a **RENEWAL** of his Junk Collector's License for DeBrum Salvage located at 57 Stevens St., East Taunton.

Billiard Table License

Petition submitted by Frank Teixeira, 7 Crossman St., Taunton requesting a **RENEWAL** of his Billiard Table License for Frank's Good Time Lounge, Inc. located at 381 Winthrop Street, Taunton. **(1 Table)**

Petition submitted by Alan Medeiros, Treasurer, Italian Social Club of Taunton, Inc. located at 2 Columbus Blvd., Taunton requesting a **RENEWAL** of their Billiard Table License. **(1 Table)**

Petition submitted by Jeffrey Smith, 16 Clifton St., Taunton requesting a **RENEWAL** of his Billiard Table License for Smitty's Sports Pub, Inc. located at 445 Bay St., Taunton. **(2 Tables)**

Petition submitted by Michael Borges, President, Taunton Eagles Soccer Club, 29 Oak St., Taunton requesting a **RENEWAL** of their Billiard Table License. **(1 Table)**

Petition submitted by Manuel Rodrigues, President of the Taunton Sports Club, Inc. located at 33 Baker Road, Taunton requesting a **RENEWAL** of their Billiard Table License. **(1 Table)**

Temporary Fixed Vendor License

Petition submitted by Sylvester English, 4 Wilson Ave., Taunton requesting a **RENEWAL** of his Temporary Fixed Vendor License for Kinfolks Award Winning Barbecue LLC located at 5 Cape Road, Taunton

Petition submitted by George DeVincent, 107 Castle Dr., Wareham requesting a **RENEWAL** of his Temporary Fixed Vendor License for George's Christmas Trees located at 1940 Bay St., Taunton to sell Christmas Trees and flowers.

New Class II License

Petition submitted by Helder Brandao, 65 Plain Street, Taunton requesting a **NEW** Class II License for Brandao Auto to be located at 65 Plain Street, Taunton.

Flammable Storage License Transfers

Petition submitted Joseph C. & Diyaa G. Ibrahim, Trustees of Zaid Realty Trust to Transfer their Flammable Storage Permit to Speedway LLC located at 943 County Street, Taunton. **(Deed on file)**

Petition submitted by Amerada Corporation to transfer their Flammable Storage Permit to Speedway, LLC located at Rte 44, 23 Cape Road, Taunton. **(Deed on file)**

COMMITTEE REPORTS

UNFINISHED BUSINESS

ORDERS, ORDINANCES AND RESOLUTIONS

Tabled from May 3, 2016 Council Meeting

Ordinance for a third reading to be ordained on a roll call vote

AN ORDINANCE

Chapter 19

Sewer and Drains

Sec 19-19. Sewer Rates/Sewer user charges; late penalty.

Be it ordained by the Municipal Council of the City of Taunton and by authority of the same as follows:

That Section 19-19 of the Revised Ordinances of the City of Taunton, as amended, be and hereby is further amended as follows:

- 1. Delete Section 1 of paragraph (c) and replace with:**

SECTION 1:

For the Fiscal Year that begins July 1, 2016, the respective quarterly/monthly billing rates for each connection shall be according to the following fixed service charges that are based on the size of the meter serving the connection.

Relative Meter Size	Meter Size	Quarterly	Monthly
---------------------	------------	-----------	---------

1	5/8"	\$112.00	\$37.33
1.1	3/4"	\$123.20	\$41.07
1.4	1"	\$156.80	\$52.27
1.8	1.5"	\$201.60	\$67.20
2.9	2"	\$324.80	\$108.27
11	3"	\$1,232.00	\$410.67
14	4"	\$1,568.00	\$522.67
21	6"	\$2,352.00	\$784.00
29	8"	\$3,248.00	\$1,082.67
37	10"	\$4,144.00	\$1,381.33

For the Fiscal Year that begins July 1, 2017, the respective quarterly/monthly billing rates for each connection shall be according to the following fixed service charges that are based on the size of the meter serving the connection.

Relative Meter Size	Meter Size	Quarterly	Monthly
1	5/8"	\$123.00	\$41.00
1.1	3/4"	\$135.30	\$45.10
1.4	1"	\$172.20	\$57.40
1.8	1.5"	\$221.40	\$73.80
2.9	2"	\$356.70	\$118.90
11	3"	\$1,353.00	\$451.00
14	4"	\$1,722.00	\$574.00
21	6"	\$2,583.00	\$861.00
29	8"	\$3,567.00	\$1,189.00
37	10"	\$4,551.00	\$1,517.00

For the Fiscal Year that begins July 1, 2018, the respective quarterly/monthly billing rates for each connection shall be according to the following fixed service charges that are based on the size of the meter serving the connection.

Relative Meter Size	Meter Size	Quarterly	Monthly
1	5/8"	\$123.00	\$41.00
1.1	3/4"	\$135.30	\$45.10
1.4	1"	\$172.20	\$57.40
1.8	1.5"	\$221.40	\$73.80
2.9	2"	\$356.70	\$118.90
11	3"	\$1,353.00	\$451.00
14	4"	\$1,722.00	\$574.00
21	6"	\$2,583.00	\$861.00
29	8"	\$3,567.00	\$1,189.00
37	10"	\$4,551.00	\$1,517.00

2. Delete Section 2 of Paragraph (c) and replace with:

SECTION 2.

Two Tiered billing rates:

For bills issued after July 1, 2016:

Step 1: \$1.90 per hcf for usage of 1 to 30 hcf (quarterly bills); and 1 to 10 hcf (monthly bills), respectively.

Step 2: \$6.76 per hcf for the incremental usage in excess of 30 hcf (quarterly bills); and 10 hcf (monthly bills), respectively.

For bills issued after July 1, 2017:

Step 1: \$2.35 per hcf for usage of 1 to 30 hcf (quarterly bills); and 1 to 10 hcf (monthly bills), respectively.

Step 2: \$8.37 per hcf for the incremental usage in excess of 30 hcf (quarterly bills); and 10 hcf (monthly bills), respectively.

For bills issued after July 1, 2018:

Step 1: \$2.72 per hcf for usage of 1 to 30 hcf (quarterly bills); and 1 to 10 hcf (monthly bills), respectively.

Step 2: \$9.68 per hcf for the incremental usage in excess of 30 hcf (quarterly bills); and 10 hcf (monthly bills), respectively.

All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage

Ordinance for a second reading to be passed to a third reading

AN ORDINANCE

Chapter 13

ARTICLE III. STOPPING, STANDING AND PARKING

Sec 13-82. Prohibited parking places.

Be it ordained by the Municipal Council of the City of Taunton as follows:

SECTION 1: That Section 13-82 of the Revised Ordinances of the City of Taunton, as amended, be and hereby is further amended as follows:

Insert “Mason Street, North side, from in front of No. 29 to the west side of Wales Street”

SECTION 2: All ordinances or parts thereof inconsistent herewith are hereby repealed. This Ordinance shall become effective immediately upon passage.

NEW BUSINESS

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Rm Blackwell".

**Rose Marie Blackwell
City Clerk**

BIOTECH HEARING



Denise J. Paiva, Secretary

TAUNTON PLANNING BOARD

City Hall

15 Summer Street

Taunton, Massachusetts 02780

Phone 508-821-1051

Fax 508-821-1665

April 8, 2016

Honorable Mayor Thomas Hoyer and
Members of the Municipal Council
City Hall, 15 Summer Street
Taunton, MA 02780

C/O Rosemarie Blackwell, City Clerk

RE: PROPOSED CHANGES TO THE ZONING ORDINANCE – BIOTECH

Dear Mayor Hoyer and Members of the Municipal Council:

Please be advised that on April 7, 2016 the Taunton Planning Board held their public hearing on the proposed Zoning Changes to the Zoning Ordinance relative to adding Section 5.2 Use Regulation – adding Biotech as a permitted use in the Business District.

The Taunton Planning voted to send a **POSITIVE** recommendation to the Municipal Council for these proposed changes.

Very truly yours,

Robert P. Campbell, Chairman
TAUNTON PLANNING BOARD

RPC/djp

BIOTECH HEARING

Proposed Changes to the City of Taunton Zoning Ordinance

Dated February 16, 2016

Amend Section 5.2 Use Regulations

Biotech use Category- amend this category from a prohibited use in Business District to a Permitted Use.

Currently Reads

	RRD	SRD	URD	BD	CBD	OD	HBD	ID	OSC	FLPLN
Biotech	-	-	-	-	-	-	-	P	-	-

Proposed to Read

	RRD	SRD	URD	BD	CBD	OD	HBD	ID	OSC	FLPLN
Biotech	-	-	-	P	-	-	-	P	-	-

- = Prohibited use

P = Permitted Use

ZONING MAP AMENDMENT HEARING



Denise J. Paiva, Secretary

TAUNTON PLANNING BOARD

City Hall

15 Summer Street

Taunton, Massachusetts 02780

Phone 508-821-1051

Fax 508-821-1665

April 8, 2016

Honorable Mayor Thomas Hoye and
Members of the Municipal Council
City Hall, 15 Summer Street
Taunton, MA 02780

C/O Rosemarie Blackwell, City Clerk

RE: PROPOSED CHANGES TO THE ZONING MAP – Bay St & Dever Drive

Dear Mayor Hoye and Members of the Municipal Council:

Please be advised that on April 7, 2016 the Taunton Planning Board held their public hearing on the proposed Zoning Changes to the Zoning Ordinance to change the following properties from Industrial to Business District.

Property I.D. 24-2-0 which consists of property located off Bay Street and Dever Drive and consists of the following properties: Lots A, B1, B2-A, B3R and B4-A. The portions of lots B2-A and B3R that are shown as zoned Open Space Conservation are NOT part of the requested zoning map change.

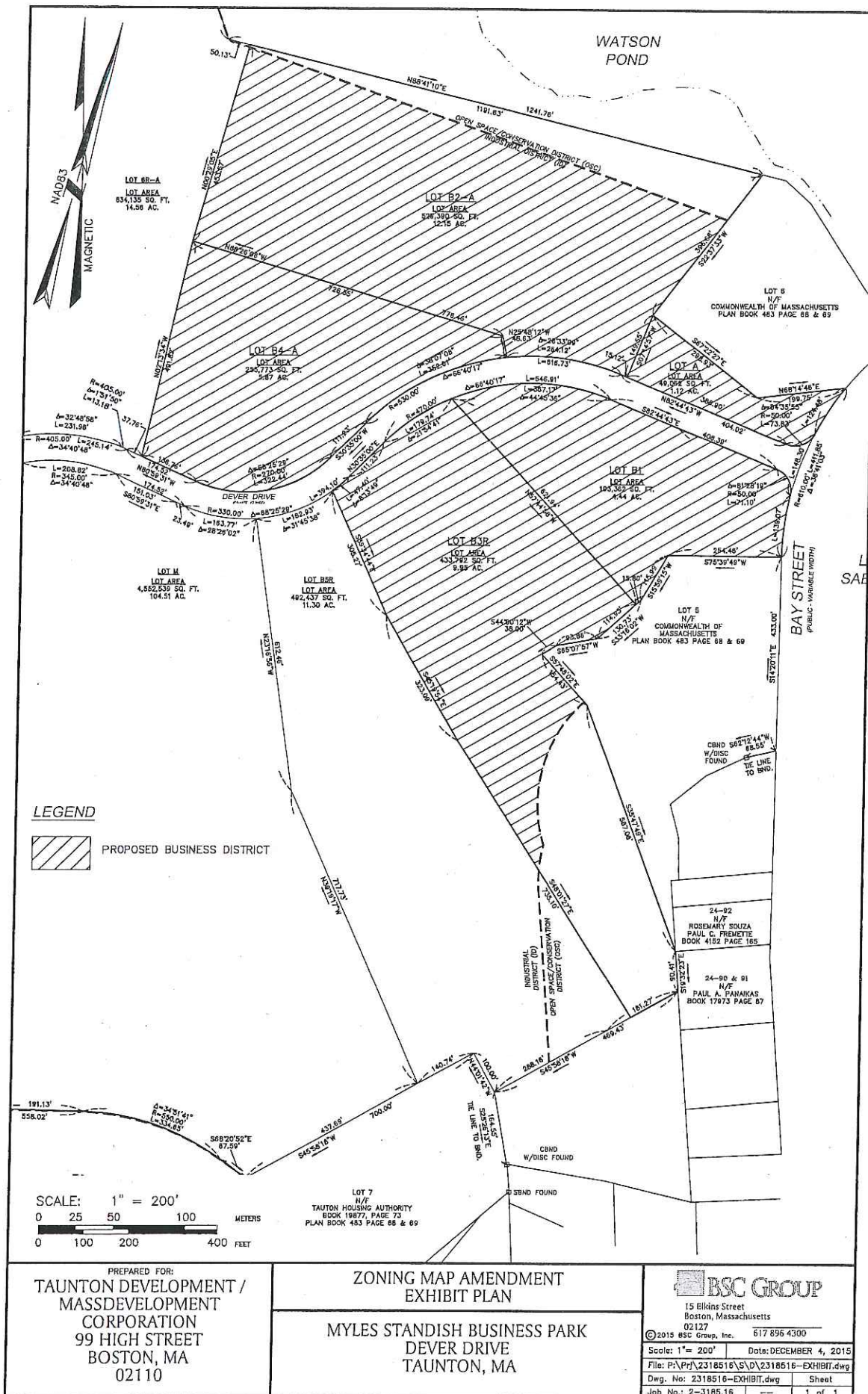
The Taunton Planning voted to send a **POSITIVE** recommendation to the Municipal Council for these proposed zoning map changes.

Very truly yours,

Robert P. Campbell, Chairman
TAUNTON PLANNING BOARD

RPC/djp

ZONING MAP AMENDMENT HEARING





CITY OF TAUNTON
Contributory Retirement System
104 Dean Street, Suite 203
Taunton, Massachusetts 02780
Tel (508) 821-1052 Fax (508) 821-1063
www.tauntonretirement.com

**BOARD OF
RETIREMENT**

Chairperson:

Ann Marie Hebert, City Auditor

Elected member: Dennis M. Smith

Elected member: Peter H. Corr

Mayoral appointee: Gill E. Enos

Board appointee: Barry J. Amaral

STAFF

Executive

Director:

Paul J. Slivinski

Assistant

Director:

Kathy A. Maki

April 27, 2016

Commonwealth of Massachusetts
Public Employee Retirement Administration Commission
Mr. Joseph Connarton, Executive Director
5 Middlesex Avenue, Suite 304
Somerville, MA. 02145

Dear Mr. Connarton:

Enclosed is the Annual Statement for the Financial Condition of the City of Taunton Contributory Retirement System for the year ended December 31, 2015. The Annual Statement was approved by the Taunton Retirement Board at its meeting on April 27, 2016. This statement is being submitted in accordance with the provisions of Massachusetts General Laws, Chapter 32, § 20(5)h, § 23(1)c and § 23(2)e.

If you have any questions, please feel free to contact our office.

Respectfully yours,

Paul J. Slivinski
Executive Director

cc: Hon. Thomas C. Hoyer Jr., Mayor
Taunton Municipal Council
Taunton Municipal Light Plant
Treasurer-collector
City Auditor
Taunton Housing Authority
Greater Attleboro-Taunton Regional Transit Authority
Dahab Associates

Encl.



2.

**CITY OF TAUNTON
MASSACHUSETTS**

PARKS, CEMETERIES & PUBLIC GROUNDS

Marilyn A. Greene
Commissioner

170 Harris Street
Taunton, MA 02780
(508) 821-1415
FAX (508) 821-1065
E-mail:
mgreene@taunton-ma.gov

May 10, 2016

Mayor Thomas C. Hoyer and
Members of the Municipal Council
141 Oak Street
Taunton, MA 02780

Dear Mayor Hoyer and Council Members:

The Parks, Cemeteries & Public Grounds Department is in the process of accepting applications for seasonal positions (Hopewell Pool, Park Maintenance & Hopewell Security). These positions will be paid out the General Operating Budget.

Some of these positions will be filled by former experienced staff or certified/qualified applicants. These positions are also exempt from all city benefits and receive the seasonal determination under MA Division of Unemployment. Specific information is as follows:

Lifeguards must be at least 16 years of age and have American Red Cross or YMCA Lifeguard Training, Standard First Aid and CPR. These positions will be paid out of the General Operating Budget.

Park Maintenance & Hopewell Evening Security must be at least 18 years of age and be full-time college students. They must hold a valid driver's license.

All positions are subject to CORI Approval.

We request your approval of the following estimated number of positions:

(1)	Pool Director	\$18.00 per hour	(9 weeks)
(2)	Head Guards (WSI)	\$14.25 per hour	(9 weeks)
(3)	WSI Lifeguards	\$12.75 to \$13.25 per hour	(8 weeks)
(10)	Lifeguards	\$11.00 to \$11.50 per hour	(8 weeks)
(4)	Bathhouse/Gate	\$10.00 per hour	(8 weeks)
(8)	Park Maintenance	\$11.00 to \$13.00 per hour	(12 weeks)
(4)	Hopewell Security	\$13.00 per hour	(15-20 weeks)
(1)	Summer Director	\$24.00 per hour*	(9 weeks)
(1)	Asst. Director	\$21.50 per hour*	(9 weeks)
(1)	Extended Day Coordinator	\$16.75 per hour	(9 weeks)

*MA Certified Teachers with Master's Degree in Education

If you require further information, feel free to contact me.

Respectfully,

Marilyn A. Greene, Commissioner



3.

CITY OF TAUNTON
MASSACHUSETTS

PARKS, CEMETERIES & PUBLIC GROUNDS

Marilyn A. Greene
Commissioner

170 Harris Street
Taunton, MA 02780
(508) 821-1415
FAX (508) 821-1065
E-mail:
mgreene@taunton-ma.gov

May 10, 2016

Mayor Thomas C. Hoye and
Members of the Municipal Council
141 Oak Street
Taunton, MA 02780

Dear Mayor Hoye and Council Members:

The Parks, Cemeteries & Public Grounds Department is in the process of accepting applications for seasonal positions (Summer Counselors, Tennis, Basketball & Track Monitors). These positions will be paid out of user fees generated from registration fees under the department's Revolving Account.

Some of these positions will be filled by former experienced staff or certified/qualified applicants. These positions are also exempt from all city benefits and receive the seasonal determination under MA Division of Unemployment. Specific information is as follows:

All Candidates must be at least 18 years of age and have American Red Cross Standard First Aid and CPR.

All positions are subject to CORI Approval.

We request your approval of the following positions:

CPR/First Aid Certified	\$10.50-\$11.00 per hour	Graduating High School Seniors/College (First Year no experience)
	\$11.50 - \$12.00 per hour	Prior Year Experience (College Students)
Teachers/Aides	\$13.75-\$14.25 per hour	Associates Degree or Prior Year Experience
Certified Teachers	\$15.00- \$15.75 per hour	Bachelor's Degree and/or State License Teacher Cert.
	\$16.00 per hour	Master's Degree
Non-Certified Position	\$10.00 per hour	Basketball, Track or other Special Event

The exact number of employees will be determined by the enrollment in the programs for a period of no more than (9) weeks. If you require further information, feel free to contact me.

Respectfully,

Marilyn A. Greene, Commissioner



4.

City of Taunton, Massachusetts
**DEPARTMENT OF
PLANNING AND CONSERVATION**

*15 Summer Street
Taunton, Massachusetts 02780*

*Kevin R Scanlon, Director/ Planner AICP
Michele Restino, Conservation Agent*

*Phone 508-821-1051, 508-821-1043
Phone 508-821-1095 Fax 508-821-1665
<http://www.taunton-ma.gov>*

May 3, 2016

Honorable Thomas C Hoye, Jr, Mayor
Municipal Council
141 Oak Street
Taunton, Ma 02780

RE: ADA Transition Update Safety and Monies Spent

Dear Mayor Hoye and Council Members,


The ADA subcommittee requested a time frame for completing the remaining safety items and how much has been spent on ADA this year.

Through April 30th, Departments reported ADA expenditures totaling \$89,045.55.

On the Safety items, I have consulted with the Building Department and the School Department on these needed fixes. The Building Department indicated that the remaining item at the Library will be completed by June 30th. The Building Department and School Administration indicated that the remaining 15 items in the schools will be completed prior to school opening in the fall.

If you have any questions, please contact me at 508-821-1051.

Sincerely,


Kevin R Scanlon,
Director AICP



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051
Fax 508-821-1665

April 29, 2016

Honorable Thomas Hoye, Mayor
Members of the Municipal Council
141 Oak St., Maxham School
Taunton, Ma. 02780

C/O Rose Marie Blackwell, City Clerk

RE: Site Plan Review - 200 Constitution Drive – Cellco Partnership d/b/a Verizon Wireless

Dear Mayor Hoye and Members of the Municipal Council:

The Taunton Planning Board has received a Modification of a Site Plan Review for property at **200 Constitution Drive** for the installation of a new stand-by power generator outside on-grade and the creation of new paved parking spaces to accommodate emergency cell-site equipment, submitted by **Cellco Partnership/d/b/a Verizon Wireless**.

The DIRB will be meet to review this petition on Tuesday, May 17, 2016 at 9:00AM in the Taunton Planning Board Office, 15 Summer St., Annex Bldg., and the Taunton Planning Board will meet to review petition on Thursday, June 2, 2016 at 5:30 PM in the Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, Ma.

Respectfully yours,

Robert P. Campbell (copp)

Robert P. Campbell, Chairman
Taunton Planning Board

RPC/ djp



TAUNTON PLANNING BOARD

City Hall
15 Summer Street
Taunton, Massachusetts 02780

Denise J. Paiva, Secretary

Phone 508-821-1051
Fax 508-821-1665

May 3, 2016

Honorable Thomas Hoye, Mayor
Members of the Municipal Council
141 Oak St., Maxham School
Taunton, Ma. 02780

C/O Rose Marie Blackwell, City Clerk

RE: Modification of Roadway Improvement Plan - Hoover Street - Leite

Dear Mayor Hoye and Members of the Municipal Council:

The Taunton Planning Board has received a Modification of a Roadway Improvement Plan for property on Hoover St. The modification is to widen the roadway by 2 feet and clear the exiting vegetation and brush back from edge of pavement along entire length for 6 residential lots, submitted by Marcelino Leite.

The Taunton Planning Board will meet to review petition on Thursday, June 2, 2016 at 5:30 PM in the Chester R Martin Municipal Council Chambers, 141 Oak St., Taunton, Ma.

Respectfully yours,

Robert P. Campbell (RPC)

Robert P. Campbell, Chairman
Taunton Planning Board

RPC/ djp

RECEIVED
CITY CLERK'S OFFICE
2016 MAY -4 A 11:53
TAUNTON, MA
CITY CLERK



7.

City Clerk's Office
City of Taunton

Temporary City Hall
141 Oak Street
Massachusetts 02780, U.S.A.
Telephone 508-821-1024
Fax 508-821-1098
Cityclerk@tmfp.net

Rose Marie Blackwell
City Clerk

Jennifer L. Leger
Assistant City Clerk

May 6, 2016

Mayor Thomas C. Hoye, Jr.
Council President Jeanne Quinn
And members of the Municipal Council

Dear Mayor Hoye, Council President Quinn and Councilors:

In February, I submitted the attached letter concerning the City's election computers.

Therefore, at this time, I am requesting an appropriation from available funds in the amount of \$150,000.00 to purchase new voting computers for elections. I must purchase these computers at this time so I can be fully prepared for the September State Primary.

Thank you in advance for your support and approval.

Respectfully,

Rose Marie Blackwell
City Clerk

Attachment



City Clerk's Office

City of Taunton

Temporary City Hall

141 Oak Street

Massachusetts 02780, U.S.A.

Telephone 508-821-1024

Fax 508-821-1098

Cityclerk@tmfp.net

Rose Marie Blackwell
City Clerk

Jennifer L. Leger
Assistant City Clerk

February 17, 2016

Mayor Thomas C. Hoye, Jr.
Council President Jeanne Quinn
And members of the Municipal Council

Dear Mayor Hoye, Council President Quinn and Councilors:

I would like to take this opportunity to inform you that the computers we currently use for elections were purchased in 1997 from LHS Associates. They are now nineteen years old and becoming more and more obsolete. The technicians from LHS Associates, who service our computers, have informed me that as these computers breakdown and require repairs, the parts necessary will no longer be available, rendering these computers useless.

Therefore, when I submit my City Clerk's Office FY17 budget, there will be a "Capital Expense" line item exclusively for the purchase of new election computers. The Secretary of State's Office has given approval to two (2) vendors from which cities and towns can purchase new election computers from.

My intention is to make my final decision on which of the computers I will purchase this coming spring. This will afford me ample time to familiarize myself with the new computers prior to using them at the polling locations during the September State Primary Election.

Thank you in advance for your consideration.

Respectfully,

Rm Blackwell

Rose Marie Blackwell
City Clerk



City of Taunton

LAW DEPARTMENT

141 Oak Street
Taunton, Massachusetts 02780
Phone (508) 821-1036 Facsimile (508) 821-1397



9

Thomas C. Hoye, Jr.
MAYOR

Jason D. Buffington
CITY SOLICITOR

Daniel F. de Abreu
ASST. CITY SOLICITOR

May 5, 2016

Honorable Jeanne M. Quinn, Esq., President
Members of the Taunton Municipal Council
141 Oak Street
Taunton MA 02780

**RE: Varsity Wireless, LLC v. City of Taunton, Taunton Municipal Council, et al.
United States District Court, Dist. of Mass., Civil Action No. 1:15-cv-12853**

**Bell Atlantic Mobile of Massachusetts, Ltd. d/b/a Verizon Wireless c. City of
Taunton, Taunton Municipal Council, et al.
United States District Court, Dist. of Mass., Civil Action No. 1:15-cv-12919**

Dear President Quinn and Members of the Municipal Council:

In accordance with the vote of the Municipal Council to pursue settlement of this matter, I write to inform you that, on May 2, 2016, the United States District Court entered final judgment in these two cases. In consideration of the Court granting a special permit to construct a monopole wireless communication facility at 201 Alfred Lord Boulevard, the City shall receive the following benefits:

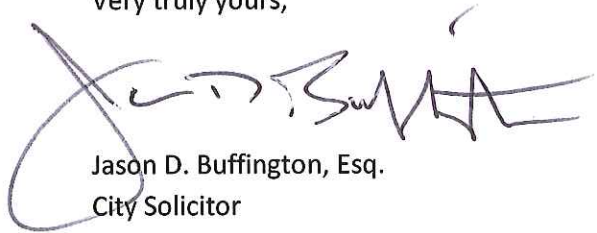
- Reduction in Height. The proposal before the Municipal Council originally called for a height of 145 feet. The Court's judgment grants permission to construct a 135-foot tall facility.
- Reduced Visual Impact. This reduction in height of ten (10) feet will result in the facility being closer to the tree line and less visually intrusive to the surrounding neighborhood. Consequently, there will also be fewer areas in the City from which the facility is visible.

- Enhanced Public Safety. Both the police and fire chiefs indicated that there is a need to enhance their respective radio and microwave communication capabilities in this heavily-populated area of western Taunton. The Court's judgment grants the City the right to place on the facility its communications microwave dish and its public safety antennas, which will be located at the very top. This will significantly improve our police and fire department personnel's ability to effectively communicate in this area.
- Free Rent for City's Public Safety Communications Equipment. The Court's judgment also provides that the City shall not be charged any rent whatsoever for the placement of its public safety microwave dish, antennas, and other equipment on the plaintiff's facility. Naturally, this would otherwise come at a cost to the City.
- Cash Payment to the City. The Court's judgment requires Varsity Wireless to pay the sum of thirty thousand dollars (\$30,000) to the City upon the issuance of a certificate of occupancy. These funds may be utilized by the City for any municipal purpose.
- Substantial Savings of Litigation Costs and Expenses. The resolution of this matter will also result in a savings of *at least* forty thousand dollars (\$40,000) that the City otherwise would have expended to litigate these cases. This figure represents merely a conservative estimate of the engineering, expert witness fees, and other litigation costs at the trial court level.

While uncertainty is inherent in these types of cases, there existed a distinct possibility that the plaintiffs would have ultimately prevailed. Had that occurred, the plaintiffs would have been permitted to construct a taller facility that would have been more visually detrimental, and the City would have received nothing.

Thank you for allowing the Law Department to be of service to you and the citizens of Taunton. If you should have any questions, please contact me at any time.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Jason D. Buffington". The signature is stylized with a large, sweeping initial "J" and "B".

Jason D. Buffington, Esq.
City Solicitor



City of Taunton
LAW DEPARTMENT

141 Oak Street
Taunton, Massachusetts 02780
Phone (508) 821-1036 Facsimile (508) 821-1397



Thomas C. Hoye, Jr.
MAYOR

Jason D. Buffington
CITY SOLICITOR

Daniel F. de Abreu
ASST. CITY SOLICITOR

May 6, 2016

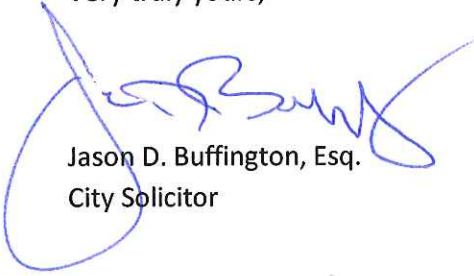
Honorable Mayor Thomas C. Hoye, Jr.
Members of the Taunton Municipal Council
141 Oak Street
Taunton MA 02780

RE: 60 Cross Street, LLC et al. v. City of Taunton
Bristol County Superior Court, Civil Action No. 1573CV01126

Dear Mayor Hoye and Members of the Municipal Council:

Pursuant to G.L. c. 30A, § 21(a)(3), I respectfully request the opportunity to meet with the Municipal Council in executive session at the May 10, 2016 meeting. The purpose of the meeting is to discuss strategy with respect to ongoing litigation. It is my opinion that an open meeting on this topic may have a detrimental effect on the litigating position of the Municipal Council. Thank you for your consideration of this request.

Very truly yours,


Jason D. Buffington, Esq.
City Solicitor



MAY 10, 2016

HONORABLE THOMAS C. HOYE, JR., MAYOR
COUNCIL PRESIDENT JEANNE M. QUINN
AND MEMBERS OF THE MUNICIPAL COUNCIL

RECEIVED
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2016 MAY -6 1 A 10:59
TAUNTON, MA
CITY CLERK

PLEASE NOTE: THE FOLLOWING COMMITTEE MEETINGS HAVE BEEN SCHEDULED FOR **TUESDAY, MAY 10, 2016 AT 5:30 P.M. AT THE TEMPORARY CITY HALL AT MAXHAM SCHOOL, 141 OAK STREET, TAUNTON, MA. 02780, IN THE CHESTER R. MARTIN MUNICIPAL COUNCIL CHAMBERS**

5:30 P.M.

THE COMMITTEE ON FINANCE & SALARIES

1. MEET TO REVIEW THE WEEKLY VOUCHERS & PAYROLLS FOR CITY DEPARTMENTS
2. MEET TO REVIEW REQUESTS FOR FUNDING
3. MEET TO REVIEW MATTERS IN FILE

PLEASE NOTE: **A "MEETING" OF THE ENTIRE MUNICIPAL COUNCIL, AS SAID TERM IS DEFINED IN MASS. GEN. L. C. 30A, §18 MAY OCCUR CONCURRENTLY WITH THIS COMMITTEE MEETING**

THE COMMITTEE OF THE COUNCIL AS A WHOLE

1. MEET FOR A PRE-REVIEW HEARING FOR A SPECIAL PERMIT FOR A 23 UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AT 698 BAY STREET, LOCATED IN THE URBAN RESIDENTIAL DISTRICT
2. MEET TO REVIEW MATTERS IN FILE

PLEASE NOTE: **A "MEETING" OF THE ENTIRE MUNICIPAL COUNCIL, AS SAID TERM IS DEFINED IN MASS. GEN. L. C. 30A, §18 MAY OCCUR CONCURRENTLY WITH THIS COMMITTEE MEETING**

RESPECTFULLY,

COLLEEN M. ELLIS
CLERK OF COUNCIL COMMITTEES